

NOTE: This and the following chapter are intended to be parts

rather than chapters and to be broken into chapters.

The Police State: Official with Nixon

The police state became official in the United States on July 23, 1970. Nixon made it official by his official approval of plans drawn up for him at his direction. It thus became Nixon's own police state. No other president had ever crossed that thin line. Nixon had his plans committed to paper.

The explicit warning that the whole scheme was illegal was no deterrent to Nixon. As a lawyer, he knew without this warning that it was illegal. Later he said so.

When on May 22, 1973, he was forced to admit to as little of this as he then felt he could get away with, Nixon claimed to have withdrawn his approval five days later. Of this there is no record. All subsequent actions, of which the assorted crimes against the Democrats are but a minor part, are in accord with this plan. These acts themselves refute the claim that the police-state blueprint was withdrawn. So do a long series of subsequent memoranda.

Nixon's police-state plan did become the practice.

This actuality disproves one of the cliches of American life effectively exploited to deprecate the officially ignored evidence showing the major political assassinations were the fruit of a conspiracy. It was then alleged that in this country no large conspiracy could ever succeed because so many people could not keep secrets for long. Interestingly, the evidence and the allegations were not in terms of large conspiracies. A conspiracy under the law requires no more than two people. There was, without any doubt, what amounts to a conspiracy

within the government to remain silent about the destruction of evidence and about that evidence which bears on conspiracy. In the ten years after John Kennedy was assassinated, there was no break inside the government ranks of silent clerks and officials. Some destroyed evidence and they and the number of others who knew said not a word. Armies of clerks handled the documents showing there was a conspiracy. Numerous lawyers in many agencies and on the commission of investigation read, understood, ignored and then claimed this evidence did not exist. One who went to his reward as a professor of law, Wesley Liebeler, confronted with an item of evidence indicative of conspiracy, merely said, "We'll add that to the stack."

Nixon put the police state into effect without a word of it escaping. This means that all those who had to know, from clerks to the ranking officials of all federal ~~and~~ police and intelligence agencies, kept the fearsome secret, as did countless Nixon clerks, typists, secretaries and advisers of low and high rank inside the White House complex.

It is apparent that secrets of this kind can be kept in the United States, within the United States government, even when many people have varying degrees of knowledge.

In itself this is a very frightening thing. Americans who wonder how Hitler could have happened four decades earlier should ponder this carefully and thoughtfully. It is a grave fact of political life in the United States. Secrets of evil can be kept.

Had Nixon not forgotten his own wisdom about Republicans as cannibals, no word of his fascistization of government would have been whispered. But when Nixon decided that John Dean would be sacrificed for his, Haldeman's and Ehrlichman's survival, Dean opted his own survival. In leaving the White House he took with him enough evidence to fight back. When Senator Ervin first saw the secret papers, he was stunned.

He said it "would be a great shock to the American people if they were released." He interpreted them ad lib to reporters on May 31 as "a plan to set up an operation to spy on the American people in general or at least those who didn't agree with the administration ... carried in a pipeline to the White House."

This was ~~n~~nine days after Nixon, knowing his plan would come out, anticipated disclosure by admitting that what he had done "included authorization for surreptitious entry - ~~b~~breaking and entering." He then sought to soften this by adding "in effect." "In actuality" would have been closer.

Because the plot against the Constitution and the law and the freedom both protect was so widespread and so utterly unthinkable, how it could have been considered, how it could have become the reality and how no word of it could have escaped may be more comprehensible with some understanding of the character and beliefs of the man Nixon put in charge of his design for an American Gestapo. It was called a Gestapo by an authentic police expert, Arnold Sagalyn. On first hearing of Nixon's domestic intelligence plan Sagalyn, who had headed the Treasury's law enforcement agencies in the Kennedy and Johnson administrations, exclaimed, "It was no different from setting up a Gestapo."

Calling Tom Charles Huston a "disenchanted lawyer," as the San Francisco Chronicle did in captioning its June 1, 1973, use of The New York Times' story it headed "18th Century Nixon Man" and describing him as "a fervent, scholarly conservative who wishes he had lived in the 18th Century," falls far short of justice to the former national chairman of Young Americans for Freedom who was an honor student in his pre-law and law studies at the University of Indiana.

Describing one of Huston's idols, John C. Calhoun, as "the Southern

theorist of states' rights and nullification of federal statutes" falls short of justice to the readers of the Times and those papers to which it syndicated this story. South Carolina's John Caldwell Calhoun (1782-1850) throughout his long career in public life - as Congressman, Senator, twice in the cabinet in different posts and as vice president - was a war hawk and a leading, articulate, influential leader of "secession," which led to the Civil War. He was, in plain 20th century English, a racist and a forerunner of those who sought to dignify this early form of fascism by more acceptable designations, such as "nullification" and "defender of minority rights." His doctrine of "states' rights," a euphemism for slavery and racism, finds its natural modern usage in the name of the most virulent of current racist, fascist native groups, the "National States Rights Party," which is neither national nor for the authentic rights of the states other than as propaganda for its most extreme of current racist beliefs. Although it is both, it is more anti-Semitic than anti-Black.

Cato is another of Huston's idols. Cato, also known as Cato the Elder and Cato the Censor (234-149 B.C.), was an austere, bitter exponent of revanchism, war, murder and the total destruction of a people. With the cry, "Carthage must be destroyed!" he helped bring on the Third Punic War in which that North African city/state was destroyed. He was at once a man of great wealth and niggardliness, a man renowned for his cruelty to his servants. His great-grandson, known as Cato the Younger, Cato Minor and Cato of Utica, was a Stoic.

Huston's idols reflect his beliefs.

Huston is a man of sincerity, schizoid sincerity. "The real threat to internal security in any society is repression," he said. In elucidating, he pontificated that "repression is the inevitable result of internal disorder. Forced to choose between order and freedom, people

will take order." Hitler's record validates this. But what Huston did not say is that he became part of the most extensive and permeating official policy of provoking disorder in United States his^t by drafting the most repressive plan ever reduced to paper by any United States official.

Huston, 1965 YAF chairman, endorsed Nixon in 1966 rather than Ronald Reagan, preferred by most YAF^Eers. His two-year sting^t in Army intelligence coincided with Nixon's 1968 victory. He was then added to Nixon's stable of speech-writers.

Until the fall of 1970 - for despite Nixon's pieties his domestic-intelligence plan was not abandoned July 28 - Huston worked on it, beginning in 1969. He was its "project" officer.

Disillusioned because Nixon's reaction fell short of his personal desires, in the spring of 1971 Huston returned to Indianapolis.

Prior to that, this political infant, this man so dedicated to an American version of fascism he dignified with loftier designations suggesting noble principle, this inexperienced youth, was actually appointed by Nixon to chair an interagency committee on Nixon's police-state plan. Imagine a sapling who went from law school into the Army and from there to the White House as one of its minor flacks within a year being put over such giant bureaucratic oaks, the very pillars of the national intelligence community, as Hoover, septuagenarian head of the FBI; CIA's career Director Richard Helms; and the heads of the National Security Agency, the Defense Intelligence Agency, and each of the military intelligence services! Over generals and admirals!

The ego and gall of the wet-ears Huston in presuming to accept an assignment like that is equaled only by Nixon's contempt for the experienced and the experts in making the assignment. In an administration characterized by arrogance and callous disregard for almost anything

normal and proper, this is one of the shocking examples.

Nixon's limited, biased, incomplete and less than wholly honest admission of this police-state blueprint drafted for him by the self-styled Galhounian was made on national television on May 22, 1973. That just happens to be the day whose morning papers carried an account of Huston's appearance the day before at a closed-door hearing of the Senate Armed Services Committee chaired by former Air Secretary Stuart Symington, a converted hawk. The imminence of Huston's secret testimony was not a surprise to the Nixon administration. The previous week the FBI and other intelligence agencies had been called upon to provide their copies of the plan and to make recommendations about what they considered dealt with genuine national security.

Copies of the White House set of these papers were among the haul of files Dean had sequestered in a bank vault. It is one of those ordered by Judge John Sirica to be delivered to the Ervin committee.

If Huston felt Galhounian or Nixonian pride after his two hours before Symington's committee, he did not express it to the press on leaving. He declined to say anything. He had never been offered a larger forum. Perhaps by then his dedication to wholesale subversion and the most widespread crime ever seriously considered by a United States government seemed a little different than it had two years earlier when he penned such exalted concepts of "patriotism" and "libertarianism" as

What we cannot do in a courtroom via criminal prosecutions to curtail the activities of some of these groups, IRS could do by administrative action. Moreover, valuable intelligence-type information could be turned up by IRS as a result of their field audits.

The records citizens provide the Internal Revenue Service and their income-tax returns theoretically and by law are confidential. If the quoted words may not be the most breathtaking of Huston's expressions of the spirit and the actuality of "freedom," they are typical of his thinking. His idea became part of his and Nixon's plan and it also

became a major White House effort formalized in an official "enemies" list. There was retaliation against those regarded as not monolithically adherent to "our" (the White House word) policies. Including Republicans and the nonpolitical.

By his lights, Huston was genuine. The beliefs he expressed, as beliefs and in his toiling in Nixon's police-state vineyard, he holds with sincerity. It may be difficult for those who hold that Our Constitution is one of the great charters of human dignity and freedom; that the laws apply equally to the governing and the governed; and that the law and the Constitution are all that separates the individual from the tyranny of persecution by the state, to be willing to consider Huston's sincerity. It is more terrifying that the Hustons can be true believers in their United States equivalent of Hitler. Hitler may well have been completely sincere. There is no doubt that many of his disciples and followers were also true believers. Yet they did stoke the gas ovens with six million humans and their doctors did perform the most blood-curdling experiments on the living and called it "science."

Hitler, Mussolini and their minor copiers had no monopoly. Nor did the Germans and Italians. We have our equivalents, their American-style counterparts. Had fascism come to the United States with a clap of Thors' thunder, our fascists may have acted and reacted differently, their plots may have been less hidden, less cautiously proposed and approved.

Huston was as secure as Linus with his blanket in his practice of Huey Long's wisdom, that American fascism would wrap itself in the flag. Huston is a patriot. Ask him. He says so. Only he does not realize what he really says.

Huston and his like-thinkers, an astounding number of whom Nixon found and enthroned in the White House, are as atavistic as Houston,

not so intending, describes himself. He longs for the simple world of the past. The complexities of modern society, the magnitude of the problems made by man and most of all by political men, overwhelm them. They fear, and having come to power, find their beliefs of the monarchical past are irrelevant to the modern world. Their search for answers leads nowhere because they are out of contact with the 20th Century. They cannot and will not admit to themselves that the living world will not turn back to their dream of ancient, simple times.

The Catos can no longer whip their slaves. The Calhouns can no longer keep slaves by pretending slavery is an expression of high political principle. And the slaves were no longer docile. They protested. When their voices were not heard, they burned the rotting heads of the neglected cities, neglected in the pursuit of an insane military adventure that would have been an even greater disaster had it succeeded. When fire was not hot enough, the more desperate turned to military instruments, to bombs. Calhounian eloquence was a Canutian futility, and the Calhouns, as well as those without even outdated principle, brought to power with Nixon, were desperate. They were political bankrupts, holding beliefs of irrelevancy that may have sounded fine as in tiny YAF cliques they lectured themselves in college dormitories but beliefs that nonetheless had no pertinence in modern life.

They could not and would not face their failure, their inadequacy. They grew afraid, and their fears started consuming them. They turned to simplistic answers of a simplistic past for which they longed. Men who hold beliefs do not abandon them easily, do not admit error and seek new answers. They cling to what they have cherished. There was no way it could work.

No power can will the rot out of crumbling hulks unfit for the rats that took them over.

It was intolerable when the Nixonians realized that the might of

the world's greatest military power and its willingness to use that power without inhibition could not prevail over the fierce determination of an underdeveloped small nation to be free of foreign domination and power. The Nixons and the Hustons had nowhere to turn in their frustration. So they turned against society. Somebody, something else, is always wrong. Thus, when things did not go as the Czars wanted, they fabricated their Protocols and turned the Cossacks loose on the Jews, from whom it was an easy step to all not content with cold and hunger. Hitler scapegoated Jews and Communists, and innocent Germans soon learned that all who opposed or were merely suspected of opposing his totalitarianism, which also held no solutions, were Jews or Communists.

The United States of the 1970s did not welcome a King Richard. His courtiers were outraged and frustrated. As they lived in the past, so did they turn to the past, to the means of the days of the tyranny of power, the days before the Constitution.

"I took the view that in certain instances/^{you} had to infringe on Constitutional rights," Huston told The Washington Post's William Claiborne on June 2, 1973. The mind of the fascist intellectual is disclosed by the words with which Huston tried to hide from himself what he was about, the words that immediately followed, "in a narrow and limited way." One "infringes" on the Constitution "in a narrow and limited way" as a pregnancy is slight. Laws and rights exist or they do not exist. There is no middle ground.

"You forfeit the right to prosecute," Huston pontificated, a falsehood in further attempted self-justification. It did not turn out that way. Nixon's henchmen did prosecute. And their prosecutions failed. Time after time after time their "conspiracy" cases based upon these "narrow and limited" violations of the rights for which the Revolution was fought failed in court. The more persistent their undeviating failures, the more their frustration ate them.

Thus The Watergate and the vigilantes in the White House. Sick clowns given power and set upon the country. Doctors who would heal the sick by cursing them for illness. Doctors who need doctoring.

In his modesty with Claiborne, Huston showed how the cancer had spread. It should terrify. "I didn't write the report," he said. "It was done by the working groups." The "working groups" were all the police and all the intelligence agencies. All those who are supposed to exist solely for the protection of rights who would do this by ending them.

Cut off the head ^{to cure} ~~to cure~~ the headache.

Nixon's child did not, with Huston's midwifery, spring fullgrown from a rib.

This presented a number of related problems to those who did not really want to put it all together and spread it out in the cleansing rays of the sun of full exposure, comprehensible and organized. The Ervin committee, in fact, refused me copies of Huston's on-paper plans after they were in evidence and were officially public documents that could not properly be withheld from anyone. Two months after I had been promised them and had guaranteed payment of the cost of copying, the committee informed my Senator, whose assistance I had asked, that copies of the exhibits "will not be made available until the completion of the hearings and they become a part of the record and report which will be presented at that time."

The copying of the method and techniques of that most dubious "investigation" of the JFK assassination could not be more faithful. It is more sophisticated. The Warren Commission first released a 900-page report, knowing it was an impossibility for the press to assimilate it by its release date. The Commission did this ^{without} ~~would~~ releasing any of its "record" of "hearings and exhibits," an extra 10,000,000 words in 26

tomes it was also impossible for the press to begin to understand. More than any other single thing, this denied minimal comprehension of anything other than what it was officially desired for the people to believe, the Commission's own summary of its conclusions. So completely successful was this effort to control what the people could know and believe that the Associated Press's account of the whole official mess was word-for-word the opening of the Report, which was used as the official press release.

It is simply an impossibility for the press, even the best of reporters, to begin to assimilate and then reduce to the limited available space, a mountain of words solidified in thousands and thousands of pages of type. The first of the Ervin committee's marathon hearings, which required almost four months to issue in printed form, covers the first five days, the testimony of the first 11 witnesses only. The fifteen exhibits included, a minuscule fraction of what was officially part of the record and not properly subject to any withholding, brings the total to 461 printed pages. The entire record will be a typographic monster, too much for contemporaneous comprehension.

If there is to be any popular use of this investigation, if it is to be anything more than an incomplete historical record, access and comprehension must be contemporaneous. Unless it is, unless writers can give meaning to the record, it can mean nothing except as history. In denying access, in compiling a massive record in which the most sensitive and meaningful evidence is withheld until it can be buried in the mass of the report as well as in other subtle ways, the Ervin committee is duplicating what the Warren Commission did.

In my earlier day I edited millions of words of Senate hearings and reports. As a matter of principle, none was ever withheld. As a matter of law, none could have been. Withholding is a euphemism for suppressing. In practicing it except where it sought its own public-relations purposes, this committee practiced what it preached against with all those

entrancing quotations from Shakespeare, the Bible, the Constitution and the laws.

The committee had, in fact, already released and distributed copies of a selection of precisely these exhibits from its record, restricting them, which also is improper, to those who satisfied its itching by scratching its back. This could not be more specific than in The Washington Post's italicized preface to the verbatim selections it printed June 27, 1973!

The following documents released by the Senate select Watergate committee yesterday ...

(There is no reason to doubt the Post's representation that the documents were "released" and that this release was by the committee and on the day before. However, it is not a fair or a full representation for excerpts from other of the documents appeared 20 days earlier, in The New York Times of June 6. The Post reprinted them two days. The Times was careful to attribute its copy to no one. It was just as careful to include Nixon's entirely unsupported and substantially refuted claim to having "rescinded" the plan.

In prominent display on the full page of the Post's excerpts is a facsimile reproduction of one of Huston's memos, to Haldeman, dated August 7, or ten days after Nixon's alleged change of heart: "SUBJECT: DOMESTIC INTELLIGENCE REVIEW." It discloses designs against college students: "Mr. Hoover has departed [on vacation]. If you wait until his return to clear up the problem surrounding our domestic intelligence operations, we will be into the new school year without any preparation."

Does this sound like Nixon killed the plan?

Or the next paragraph, which begins, "The situation in Portland is beginning to look very tense ..."

The third and last also is unambiguous!

I recommend that you meet with the Attorney General and secure

His support for the President's decisions, that the Director be informed that the decisions will stand, and that all intelligence agencies are to proceed to implement these at once.

With this evidence and more showing the allegedly dead plan was still kicking vigorously after its reported demise, the Ervin committee managed never to go into it when it had the appropriate witnesses (not including Huston!) before it.

This is to say that, despite all the hoopla, the rushed-into-print Sayings of Chairman Sam, all those sweatshirts, fan clubs and assorted deifications, the truly fine work done by much of the press and the unquestionably important disclosures by this and other committees, no one of which approximated the discharge of its full obligations, the whole ^{story} ~~thing~~ was never put together for the average citizen. Much was suppressed (else why not have Huston testify on what frightened worried old Senator Ervin so?) and there was an unending effort to pretend Nixon had nothing to do with any of the crimes, not even those he admitted being part of.

Popular comprehension requires context and a few words of explanation. These Huston formulations are not out of thin air, not without continuity, as the one quoted memo shows. They are part of a Nixon continuum through all of his Presidency and traceable to his first days as the most junior member of the House of Representatives, his withh-hunting red-baiting days on the UnAmerican committee.

Ignored by the Senate investigators and the press are two significant dates in Caulfield's earlier testimony, dates that mark sharp changes in his official functions and exactly coincide with developments in Nixon's overall design.

On May 23, 1973, Nixon's inept, unsubtle apologist, Gurney, was not content to let the staff's sleeping dog lie. Thinking to protect

Ehrlichman and, through Ehrlichman, Nixon, Gurney asked Caulfield, "For how long a period?" had he worked for Ehrlichman.

"From April 8, 1969, through July of 1970," ~~Caulfield~~ ^{Caulfield} replied.

The end of July 1970 dovetails neatly with Nixon's official approval of his police-state plan.

Prior to this Minority Counsel Thompson approached the same subject with tact and subtlety. The answer means the same, but the meaning is not obvious. Asked about his acting "as an intermediary between Mr. Ehrlichman and Tony Ulasewicz [sic] for jobs" and "would you say that would be on frequent occasions", Caulfield volunteered more than was asked. Instead of responding that the "occasions" were frequent, which would have been a truthful answer, he added point and richness with the unsolicited "That would be infrequent after July of 1970."

This is the date Caulfield was transferred from direct service to indirect service to Ehrlichman, under Dean.

Interestingly, in organizing his prepared statement, Caulfield followed his reassignment, from direct work for Ehrlichman, with a reduction in the duties assigned Ulasewicz through him. To put these things in successive paragraphs, Caulfield jumped a year, to "In the spring of 1971," when "I began to notice that for some reason the amount of investigative work handled by Mr. Ulasewicz ^{di} through me had/minished."

From this observation Caulfield was led to make his "Sandwedge" proposal of a private but semi-official spy service for Nixon with a budget that roughly coincided with what the CREEPs gave Liddy, "Approximately \$300,000 to \$400,000." Not then knowing his idea was being stolen from him, Caulfield testified that "During the summer of 1971, I had high hopes that my proposal would be accepted." A variant was. Hunt was hired in July, joining Liddy, already at work in the White House.

It is not necessary to establish an exact chronology to establish

that there was an evolving police-state mechanism. The facts themselves prove this. However, the evolution is marked by interlocking dates. The times of changes in formulation are now not secret. The growth from Caulfield to the Huston concept is marked by the reduction of Ulasewicz's ~~duties and the shifting of~~ *duties and the shifting of* ~~ditoes and tje sjortong of~~ Caulfield away from Ehrlichman's direct chain-of-command responsibility. When the need for the extra services Caulfield envisaged was recognized, the Liddy/Hunt/Cubans White House operations began. Then Liddy's intelligence functions were shifted from the White House to the GREEPs, where funding was simplified, where he and his operation had a serviceable "cover" and a "cut-off" from the White House was effectuated.

The Caulfield-Ulasewicz service, fleshed out by federal agencies, served during the period of Huston's planning. Unlike the Liddy/Hunt operation, which was called the "Special Investigations Unit," commonly "the plumbers," it had no name.

Huston's work in this field began a year before the first of the "Dean" memos of the few that were leaked, "released" or referred to without direct quotation. The earliest is dated July 14, 1970. The detailed plan itself is dated the next day, July 15. Three are dated in August, the seventh, fourteenth and twenty-fifth. Five are dated in September, the tenth, eighteenth, nineteenth, twenty-first and twenty-fourth. To put this another way, of the eleven, all but two are dated after Nixon claims to have rescinded the plan. None of these support his claimed killing of his own concept. They all go the other way, looking toward implementation, for which Huston pressed.

The plan itself is more horrible than anything John Mitchell called "The White House Horrors."

Huston cautioned Haldeman, "We don't want the President linked to this thing with his signature on paper [because] all hell would break loose if this thing leaks out." So, as Haldeman testified, Nixon's ap-

proval was verbal and was communicated by Haldeman.

While it is not conclusive, it appears that Nixon approved the Americanized Gesyapo twice. The only version of the plan itself to escape the White House and the Ervin committee is dated July 15, 1970. But on behalf of Nixon, the day before, July 14, Haldeman conveyed to Huston approval in principle: "The recommendations you have proposed ... have been approved by the President."

Nixon did not want to implement the plan as Huston urged, but Haldeman was willing to make another stab at getting a more formal o.k. "if you feel strongly that this procedure won't work." Nixon "would prefer that the thing be put into motion on the basis of this approval." So, Huston was told, "The formal official memorandum should, of course, be prepared and that should be the device by which to carry it out." After offering to take another "stab" if "you feel^{very}/strongly," Haldeman concluded, "Let's go ahead."

Consistent with the spirit of breaking any and all laws on executive whim and in secret to spy on Americans because of the ideas they hold or are thought to hold by the paranoids in power, one of the characteristics of this domestic-spying plan is that it lacked any legal or proper authority. It was suppressive rule by Nixon diktat. Congress was not asked to enact an enabling law, for it would not and could not. There was no executive order for the same reason, it was totally unconstitutional. It was so completely subversive, it had to be clandestine, kept secret from all except those with the "need to know," the traditional spook standard. It is estimated that no more than 50 people received copies of the various papers.

To the high classification of "TOP SECRET" was added "GOMINT," an abbreviation for "communications Intelligence," meaning ultra-ultra secret.

A day more than a week after the alleged withdrawal, on August 5,

Huston's memo to Haldeman begins, "In anticipation of your meeting with Mr. Hoover and the Attorney General, I would like to pass on these thoughts."

"These thoughts" are long and detailed. This August 5 memo explains how Huston believes Hoover can be induced to support the plan. Hoover had, in fact, agreed to it but, in Huston's words, "He had his say in footnotes and RN [Richard Nixon] decided against him."

Mitchell was completely informed. Huston expected him from the first to warm (Hoover up). For some reason not in accord with a diligent search for all the truth, when Mitchell was a witness before the Ervin committee, none of the members, none of the staff who suggested questions in advance, and none who asked them at the hearings, saw fit to confront his denials of knowledge of "the White House horrors" with his active participation in the planning of which they were no more than a partial implementation. Nor was it a secret that Mitchell, personally, had ordered some of those illegal acts that are incorporated in the plan. The committee was well aware of this. When it argued with Ehrlichman and his lawyer about these "White House horrors" it cited the Supreme Court's decision outlawing Mitchell's directives. Yet it did not go into this plan when it had all witnesses on the stand.

When the Senate makes itself part of the suppression of what it is mandated to expose in the interest of legislating an end to those abuses and illegalities, manifestly, there is much that cannot be known. Nixon's sole objection to the plan first approved, in Haldeman's words of July 14, was, "He does not, however, ^want to follow the procedure you outline on page four." Without the typescript, there is no way of knowing what this one "procedure" is. It seems to be only the formality of Nixon's signature from what Haldeman next says, "He would prefer that the thing simply be put into motion on the basis of this approval." With regard to the July 15 version, this is what Haldeman did testify to. As

chief of staff he conveyed Nixon's approval.

Calhounian "conservative" Huston was impatient for implementation of this American fascism. The completed design, a very long and detailed plan, is dated the day after Haldeman recorded this one slight alteration on page 4 only, "regarding implementation." In one day or less it was not possible to revise and retype the entire scheme. What is probable is that Huston simply deleted the few words to which Haldeman referred, "on page 4 of your memorandum regarding implementation." Except for this slight change, the approved version dated July 15 has to be essentially the same as the version approved by Haldeman's memo of July 14.

Because all United States law beginning with the Constitution precludes any such activity by government, there is an Orwellian euphemism by which all these Gestapo plans and memos are headed and described, "domestic intelligence."

The plan itself - styled simply "^R~~Re~~commendations" - is neither dated nor signed. It is the "Decision Memorandum, The White House," that bears Huston's signature and is dated July 15. The two coincide except for condensation and the minor alterations required for "decision." The approval is the beginning of the "Decision Memorandum," which reads, "The President has carefully studied the special report of the Interagency Committee on Intelligence (ad hoc) and made the following decisions:" There follow eight numbered and headed subjects on which Nixon "decided," which is to say approved the plan presented by Huston after the approval of all the government's top intelligence and police officials who comprised Nixon's "Interagency Committee."

These eight coincide, in the same sequence, sometimes word for word, with the six subjects in the plan identified by letters through "^F~~P~~" plus its two "recommendations."

Words are chosen with care to make what had never been even

considered in this country before seem less harsh. Those who are skilled in the workings of the mind may deduce more than the obvious indebtedness to Orwell in designating as "Operational Restraints on Intelligence Collection," the opening words of the plan, and "Interpretative Restraint on Communications Intelligence," the words of the approval, what is explicitly the removal of any and all restraints.

The language of the approval is simpler. Here is what "restraint" means as no dictionary will agree: "National Security Council Intelligence Directive Number 6 (NSCID-6) is to be interpreted to permit N.S.A. to program for coverage the communications of U.S. citizens using international facilities." [Emphasis added.]

What this really means is that Nixon authorized spying on 100 per cent of the international communications by whatever means of 100 percent of "U.S. Citizens." What legal authority there could possibly be cannot be imagined. The legal prohibitions against "coverage" of phone communications have been affirmed by Nixon's own Supreme Court. The mail, supposedly, is inviolate.

The key word, of course, is "~~o~~nterpret." The law is what the Supreme Court says it is and it is what Nixon "interprets" it to be, even if the interpretation is as opposite the language and intent as is possible.

This first of Nixon's "decisions" illustrates the need for careful reading lest the full meaning be missed. For immediate purposes, excerpting establishes the sense and direction and leaves no doubt about its scope and purposes.

Each of the eight numbered subsections is authorized by the opening words, which follow these headings on separate lines: "TOP SECRET; DECISION MEMORANDUM; The White House; Washington; July 15, 1970; TOP SECRET; Handle via Comint Channels only:"

*Subject: Domestic Intelligence

The President has carefully studied the special report of the Interagency Committee on Intelligence (ad hoc) and made the following decisions:

This committee, chaired by Hoover, also included then CIA Director Richard Helms, Defense Intelligence Agency chief General Donald V. Bennett and former National Security Agency director Admiral Noel Gaylor.

Terrifying as is the contraction that was approved, it is less horrendous than the longer plan itself, the source of reference if there was later dispute about meaning.

2. Electronic Surveillance and Penetrations

The intelligence community is directed to intensify coverage of individuals and groups in the United States who pose a major threat to internal security. Also coverage of foreign nationals and diplomatic establishments in the United States of interest to the intelligence community is to be intensified.

Between "individuals and groups" and "foreign nationals and diplomatic establishments", this means everybody. Supposedly, were any of this not illegal, there is no spying on the official representatives of other countries. American ambassadors to the United ^{Nations} ~~States~~ have soared to hitherto unreached heights of eloquence and righteous indignation in their allegations of just this impropriety and illegality they attributed to the Soviet Union.

This is reminiscent of the 25 unsolved atypical "robberies" under various official investigations as soon as The Watergate break-in received public attention, especially those four "penetrations" of Chilean offices.

* What a field day for "interpretation" in the words "major," "threat" and "internal security" alone! One schoolteacher picket had Nixon chewing the rug, so one harmless person can be "major" and a picket ^{sign} ~~sign~~ can be a "threat." When the Nixonians twice "penetrated" the Democrats' headquarters, with a White House employee in command, on the spurious claim that there would be proof of campaign contributions from Castro or Ho Chi Minh, is there anything not encompassed by that ambigu-

ity, "internal security?" Castro, who was eking out a narrow economic survival on Russian largess of a million dollars a day, would give money in United States currency to the party in power when the Bay of Pigs invasion was launched and the Democrats were stupid enough to make and keep records of such suicidal illegality? These people actually believed it, as Hunt testified September 24, 1973, and federal agencies, particularly the FBI, actually reported it. With minds like these "interpreting," can an unfettered mind conceive anything not encompassed by these few words? Is there anything that cannot become a matter of "national security?"

3. Mail Coverage

Restrictions on legal coverage are to be removed, restrictions on covert coverage are to be relaxed to permit the use of this technique on selected targets of priority foreign intelligence and internal security interests.

By "legal coverage" is meant a mail cover in which the contents are not removed and read or copied, which is "covert coverage." Keeping track of who gets mail from whom is here designated "legal," a concept that should surprise most Americans and rotate the authors of the Constitution rapidly in their graves.

McCord, who was also a colonel, was a member of a secret military reserve unit that was preparing lists of people to receive this special attention. With exposure following the arrests, it/^{allegedly} was disbanded. What kind of operation is it that is right if secret, wrong if publicized. With men who think and believe as the McCords compiling the lists, with men in charge who believe common robbery and political burglary are acts of patriotism, is anyone safe who is not of the right extreme?

4. Surreptitious Entry

Restraints on the use of surreptitious entry are to be removed. The technique is to be used to permit procurement of vitally needed foreign cryptographic material and against other urgent and high priority internal security targets.

In direct language, "surreptitious entry" is breaking and enter-

ing - burglary. Or exactly what happened to the Democrats. There had not been all that "restraint," either. The FBI had been doing it for years, with special squads of "bag men" trained in it. The CIA also gave training in breaking and entering. Hunt testified to getting and using this training. This directive ^{does} ~~did~~ not even say what would not mean anything but would look a bit better, that these really nonexistent "restraints" would be relaxed. All restraints "are to be removed." This means that no man's home would any longer be his castle, except in England, where the phrase originated. It means that any and every American home could be broken into and burglarized, whatever struck the fancy of any weevil-nodded Barker or Liddy stolen, and it had the sanction of the President. The President does not have legal authority to take unto himself this awesome power but Nixon did and there was nothing anyone could do.

Did Hitler have greater power? Did he use more offensive phrases to assert it?

5. Development of Campus Sources

Coverage of violence-prone campus and student-related groups is to be increased. All restraints which limit this coverage are to be removed. Also, C.I.A. coverage of American students (and others) travelling or living abroad is to be increased.

This is a doozer if taken apart and the juices extracted.

First of all, while pretendedly aimed at "students" it includes "student-related groups," or the infamous threat to "national" and "internal security," the PTAs.

"Others" means anyone - anywhere.

Who is "violence-prone" to the people who drafted and the President who approved? Catholic pacifists, including priests and nuns. Think of all the other "violence-prone" hailed into court - that real threat, the septuagenarian baby-doctor, Spock, that Yale University chaplain and all those who said "peace!" Remember, on May Day 1971, Nixon had about 14,500 people swept off Washington streets and incarcerate

without due process, without acts being charged or committed. That day to Nixon's gauleitern the "violence-prone" was anyone they saw. A doctor walking a patient and his patient are not extreme cases. It happened.

(On October 9, 1973, Nixon's own Supreme Court upheld the decision of the lower courts ruling these were illegal arrests. Nixon's own appointee, William H. Rehnquist, disqualified himself and did not participate because, in the word of the original plaintiffs, he had, as an Assistant Attorney General, "participated in planning and decision-making in connection with the arrests and prosecutions." What a commentary on Nixon's Supreme Court appointees when their acts are held to be illegal and a denial of Americans' basic rights!

(Illegal as was this Nixon-dictated action that so abused so many thousand Americans and denied them their rights, he did not suffer from it. Nor was it possible to make redress. All the courts could do is order that the record of the arrests be expunged, an utter and complete impossibility except in the court where the cases were heard originally, and return bail forfeited by those who did not or could not fight their cases in court.

(Once the FBI and local police latch onto such records, they will not eliminate them, there is no way of knowing what they do with them, and instances abound where the innocent are victimized by records which preserve false arrests but not acquittals. What makes this more frightening is the estimate of the American Civil Liberties Union that of the annual 7,500,000 arrests, almost half do not result in convictions. Yet the records are not cleansed. The various police and intelligence agencies computerized political records on approximately 25,000,000 Americans in the five years ending with 1972.

This is the "decision" of the President whose Congressional committee "interpreted" the child actress Shirley Temple (who in her maturity

was an ultra-conservative and a prominent Nixon appointee) to be a real danger, a Communist "transmission belt."

6. Use of Military Undercover Agents

Present restrictions are to be retained.

This is complete. Nothing is cut out. It is as cute as it is short. "Present restrictions" were no restrictions.

The same Sam Ervin held hearings on the misuse of thousands and thousands of military personnel as spies and their collecting of the largest and longest personal dossiers on civilians, without restraint or restriction.

Almost a half year after Nixon's approval and claimed but unproven disapproval of ~~all~~ this all-encompassing surveillance of the American people, NBC's "First Tuesday" documentary included one of TV's best and most thorough exposes, with live, on-camera confessions. Commentator Sander Vanocur, who is also listed as a Nixon enemy, began the commentary with these words, "Tonight 'First Tuesday' examines the use of United States Army Intelligence agents to spy on American citizens."

As of the state of NBC's knowledge as of that night, this was done from 300 offices within the United States and by 1,000 agents. The figures are conservative. And nobody was immune. Congressmen, Senators, their families, ecologists, candidates for office, public speakers on almost any subject who had views not sympathetically regarded in the White House (which could have been coincidence but is fact). Sensation piled on sensation only to be forgotten. Magazines vied for first-person confessions. Nixon's later Supreme Court Justice William H. Rehnquist, then an Assistant Attorney General, appeared before Ervin's Constitutional Rights Subcommittee instead of Mitchell. Rehnquist's defense of limitless surveillance of Americans by their government and Army was headed by The New York Times of March 10, 1971, "Aide to Mitchell Opposes any Curb on Surveillance." It was no exaggeration.

Seeking to dismiss this limitless surveillance as "isolated imperfections," he argued that all that was needed would be provided by the Nixon administration: "self-discipline on the part of the executive branch will provide an answer to virtually all complaints against excesses..." There had then been two years of Nixon's "self-discipline."

This from the people who gave us The Watergate, this the way to the Nixon Supreme Court.

There was much agonizing, much headline-making, eloquent Senatorial fears of a "dossier dictatorship," dire forecasts of what the computers, already run amok with the results of this omnipresent spying on Americans, would do, and it all passed into limbo and out of mind. Newspapers reporting Nixon's Gestapo plan did not recall these Army Intelligence hearings for their readers.

The official paranoia let loose preyed upon the agents and made them paranoid. I have personal knowledge of a case at Fort Holabird, Baltimore, Maryland, an intelligence training station and major file and computer depository, from a first-person source.

It happened when my source, pressing an investigation of a homosexual, who was investigated only because he was a homosexual, went to his office unusually early in the morning. There he found a soldier he did not know, not of his own spy unit, busily engaged in tapping all its phones. Quickly he drew and cocked his pistol. He kept it pointed at the intruder for several hours, until his commanding officer arrived. All that day they held this intruder soldier prisoner. His papers ~~were~~ identified him as a member of another Army intelligence unit. They did not notify his unit. At the end of the day the commander phoned his opposite number, cursed him out and threatened, "You send another of your bastards over here to tap us and we'll kill 'em."

"Self-discipline on the part of the executive branch will provide an answer."

"Present restrictions are to be retained" on "The Use of Military Undercover Agents" is a special Nixon doublegoodspeak for "there is ~~no~~ be no limitation on the use of the military to spy on all civilians" and for the continued misuse of tax money allocated to the military for the collection, dissemination and storage of all that was spied out, regardless of how improper or inaccurate.

Of course, all of this runs into money. So the seventh breakdown, titled "Budget and Manpower," says, "Each agency is to submit a detailed estimate as to projected manpower needs and other costs required to implement the above decisions." What this means Huston addressed in the section titled "rationale" that followed each element of the plan. "... it will be necessary to modify existing budgets to provide the money and manpower necessary for their implementation. The intelligence community has been badly hit in the budget squeeze." (One would never dream that the budget is under the control of and is submitted by the President.) Huston forecast it "will be necessary to make some modifications." Once the budget is enacted into law, "modification" is more doublegoodspeak for violating the law to spend money other than as legally appropriated.

8. Domestic Intelligence Operations

Here the language exceeds what is needed for spying alone, evil and illegal as that is. There is all the authorization needed for an authentic Gestapo:

A committee consisting of the directors or other appropriate representatives appointed by the directors of the F.B.I., G.I.A., N.S.A., D.I.A. and the military counter-intelligence agencies is to be constituted effective August 1, 1970, to provide evaluation of domestic intelligence, prepare periodic domestic intelligence estimates, carry out the other objectives specified in the report and perform such other duties as the President shall from time to time assign. The director of the F.B.I. shall serve as chairman of the committee. Further details on the organization and operations of this committee are set forth in an attached memorandum.

Before continuing verbatim, the force of this quiet language should be felt. The words are not dramatic. They are typically bureau-

cratic. "Carry out the other objectives specified in the report," on which there is no limit, and "perform such other duties as the President shall from time to time assign," separately and together mean any kind of Gestapo function Nixon may direct or to which any Huston, Liddy, Hunt, Mitchell, Krogh, Haldeman, Ehrlichman, Young, Mardian, LaRue, Magruder, or any other totalitarians with like records may get him to agree. The insane, the vicious - all ~~the~~is weird assortment brought into power with Nixon - all these "patriots" as they sincerely believe - are junior dictators in a dictatorship installed without legal sanction and in stealth!

The President has directed that each addressee submit a detailed report due September 1, 1970, on the steps taken to implement these decisions. Further such periodic reports will be requested as circumstances merit.

Translation: Let's get crackin' - RIGHT NOW!

The President is aware that procedural problems may arise in the course of implementing these decisions. However, he is anxious that such problems be resolved with maximum speed and minimum misunderstanding. Any difficulties which may arise should be brought to my immediate attention in order that an appropriate solution may be found and the President's directives implemented in a manner consistent with his objectives.

Translation: Neither law nor Constitution nor regulation nor tradition shall stay these couriers in their appointed task, the fixing of a dictatorship upon the land.

Here also there is a quiet little joker. Nixon designated Huston or any successor surrogate dictator and personal trouble-shooter by ordering that "any difficulties" with law, Constitution, appropriations or anything else "be brought to" Huston's "immediate attention" so he can do whatever is necessary to carry out Nixon's "objectives."

As with The Watergate crimes and the whitewashing, timid, inadequate investigations of them, too close attention to the trees obscures the forest. The Alsopian "horror" falls far short of adequately describing this "Decision Memorandum." It is frightening enough and clear enough to skip the worst in the plan itself. Truly, not even nightmares

of the official past compare with this Nixonian dream of a Hitlerized America. There has never been such a plot against everything American and all Americans.

There was no carelessness, no ignorance of what was plotted. Huston's "rationales" are explicit enough in specifying how utterly and completely illegal it was. (He shunned reference to the Constitution, the one grace with which he, Nixon and all the heads of all the intelligence and police agencies can be credited.) An example is his "rationale" under "Surreptitious Entry," bracketed in longhand in the White House copy:

Use of this technique [sic] is clearly illegal; it amounts to burglary. It is also highly risky and could result in great embarrassment if exposed. However, it is also the most fruitful tool and can produce the type of intelligence which cannot be obtained in any other fashion.

Did Hitler say it any more clearly? Do anything the whim of the executive dictates. And don't worry about getting caught. Huston invoked the Hoover record, less than honestly by limiting it to the past:

The FBI in Hoover's younger days used to conduct such operations with great success and with no exposure.

Under "Development of Campus Sources" he laments Hoover's alleged refusal to use the young which "dramatically reduces the pool from which sources may be drawn." However, he says, feared "reaction" on exposure. Huston then argues, "The reaction in the past to such events has been minimal. After all, everyone assumes the F.B.I. has such sources." Or, "everyone" assumes the police state, so don't worry.

To these White House deepthinkers "the campus is the battleground of the [sic] revolutionary movement" but "the risk of exposure is minimal, and where exposure occurs, the adverse publicity is moderate and short-lived. It is a price we [sic] must be willing to pay."

Or, under "Mail Coverage" and the "concern that the civil liberties people [sic] may become upset," again no cause for concern. "This

risk is surely an acceptable one hardly serious enough to justify denying ourselves [sic] a valuable and legal [sic] intelligence tool."

Here is the seed of The Watergate, ejaculated by American fascism.

Here is not Huston as a self-starter, speaking on his own, as of course he could not, having Nixon's acknowledged approval. In reporting to Nixon through Haldeman, Huston says "I participated in all meetings" of all the top men in all the intelligence and police agencies "but restricted my involvement to keeping the committee on the target the President established."

This was another way of saying the whole idea was Nixon's and all his spook bosses were in agreement.

Huston had expected that CIA's Helms "would refuse to cooperate." He was pleased that "In fact, Dick Helms (Director of Central Intelligence) was most cooperative and helpful." Helms, a "liberal" to the White House crew, was an up-from-the-ranks dirty-worker, always in "plans" and "operations," the official double-talk for dirty tricks. His "cooperativeness" is not the reason Nixon bounced him so unceremoniously as soon as he was reelected, a matter of days only before Helms' automatic retirement with honor.

Unlike his man who longed for the simpler past, Nixon knew his chief spooks personally and well. His close relationship with political bedfellow Hoover dated to his Congressional witch-hunting days, when he and Hoover were fellow hunters. Where Huston was correct in advising that these scandals soon pass and are forgotten, as he could learn from the papers and his own intelligence experience, he was wrong in assuming that Hoover was an ineffectual spymaster who shunned what could be exposed simply because it could be exposed or because of a concern for the civil liberties of those upon whom he spied.

Hoover, who invented the FBI business, had practiced it longer

than his bureau had existed, going back to the infamous "red raids" of World War I, when he was part of them as an assistant to the then Attorney General, A. Mitchell Palmer, after whom these barbarities are known as the "Palmer Raids." They were characterized by all sorts of official crimes, including kidnapping and forced deportations without due process or, in fact, process of any kind, as Fred Cook showed in his book on Hoover, The FBI Nobody Knows.

Hoover did have trained crooks, break-in artists who were willing to be disavowed if caught but were real FBI agents. He practiced and was skilled at all those things in Nixon's police-state plan. Nixon knew this, if Huston did not. Moreover, as was known but generally avoided by the press and political leaders, Hoover was also a skillful black-mailer, a trade by which he preserved himself and was able to persist in his own repressions that to him also were patriotism. Just prior to The Watergate scandals the fear that he would use what he had to blackmail Nixon was so strong in a ranking Nixon-courting subordinate that he stole what Hoover had and had it delivered to the White House, which led to still another flap in what is known as "The Ellsberg Case."

Wet behind more than the ears, Huston railed against Hoover for all sorts of imaginary shortcomings, from not having enough or effective enough spies on the campus and elsewhere to inadequate electronic spying. In praising Helms, Huston followed by accusing Hoover as "the only stumbling block" who "attempted at the first meeting to divert the committee from operational problems and redirect its mandate to the preparations of another analysis of existing intelligence [one of 43 pages had been prepared]. When the working group completed its report, Mr. Hoover refused to go along with a single conclusion drawn or support a single recommendation made." Huston has two representations of Hoover's "position": "Current operations are perfectly satisfactory" and "no one has any business commenting on procedures he has established for the collec-

tion of intelligence."

Hoover "attempted to modify the body of the report" but "I successfully opposed it."

No whippersnapper like Huston was about to foil the wily Hoover who "then entered his objections as footnotes." Those footnotes did the job for Hoover as he knew they would and as he knew they had done for the late conservative Senator Richard Russell, who was unwilling to sign the Warren Report as ~~drafted~~ by the staff. Russell said his objections could be recorded by a "little footnote." Politically, there is no such thing, as Russell knew, so his objections had to be circumvented by other means. The Hustons can do things behind the backs of the Hoovers and the Russells but nobody like J. Edgar Hoover was going to be or ever was dominated by any Huston or, for that matter, any of the Presidents who for five decades did not even try to control him.

There is no appreciation of his idols Cato and Calhoun in the solution this political infant proposed to the Hoover problem: "Mr. Hoover should be called in privately for a stroking session at which the President explains the decision he has made, thanks Mr. Hoover for his candid advice and cooperation" and other flattery and cajolery but Nixon should not "be reluctant to overrule Mr. Hoover's objections."

Lapdogs respond to "stroking," not eagles. In his business, like him or not, approve or disapprove the things he did - and he did everything in the Nixon plan, as the American Civil Liberties Union noted in its protest of July 11, 1973 - Hoover was as tough as they come and the bureaucrat's bureaucrat. Nixon knew better and did not try. He merely ignored Hoover, approved the plan and then, when he knew exposure was imminent, used Hoover's objections to justify himself and draw support from Hoover's extensive conservative following. In his May 22, 1973, claim to having withdrawn the whole thing, Nixon said, "After reconsidera-

tion, however, prompted by the opposition of Director Hoover, the agencies were notified five days later, on July 28, that the approval had been rescinded."

Of this there is no record. Three Congressional committees, one each in the Senate and House with intelligence responsibilities and the ^{com} Ervin ~~sub~~committee, sought the proof from many White House witnesses. None produced any. Haldeman claimed it was "verbal." The fruitlessness of the effort is typified by the remark by Michigan Congressman Lucien N. Nedzi, chairman of an Armed Forces subcommittee. After taking secret testimony from Huston on July 9, 1973, Nedzi said, "So far as we could learn no one at the White House gave formal orders to rescind the plan."

Huston pressed his attack on Hoover ^{so fiercely that} ~~withxxxxxxxxxxxx~~ his own assault consumed him and he had to be shunted aside. In high dudgeon and claiming his principles had been debased, Huston was finally forced to leave for Indianapolis and communings with Cato and Calhoun.

(Despite his record, Huston was appointed to a Census Bureau committee on confidentiality and privacy. When this came to light the official explanation was "he is a lawyer with a background in constitutional law.")

On August 5, in a memo that served no point if Nixon's representation of May 22, 1973, was fully truthful, Huston prepared a long and detailed analysis for Haldeman "in anticipation of your meeting with Mr. Hoover and the Attorney General." He ransacked the White House supply of classification stamps for this one, which was labeled all these degrees of secrecy: Top Secret, Eyes Only, and Handle Via Comint Channels Only. This meant that whenever it was outside the special safe in which it was kept - regular safes are considered not secure enough - it had to be carried by a special messenger who was not permitted to let it out of his sight.

Huston fumed in six different numbered sections having as many as

seven different lettered subsections. In this storming against Hoover, Huston calls Nixon a liar, for more than a week after the time Nixon claimed to have "rescinded" his plan Huston established that the cause of his long memo is (under 4.), "Hoover has now succeeded in forcing a review." A review means there had been no rescinding. Pulling all stops Huston appealed to the Haldeman/Nixon vanity, "If he gets his way it is going to look like he is more powerful than the President. He had his way in the footnotes and RN decided against him."

"At some point," Huston counseled Haldeman, "Hoover has to be told who is President. He has become totally unreasonable and his conduct is detrimental to our domestic intelligence operations."

Separately, this claimed defect also galled Huston: "We are not getting the type of hard intelligence we need at the White House. We will not get it until greater effort is made through community-wide coordination to dig out the information by using all the resources potentially available." Less politely, make full use of the Gestapo.

It should be kept in mind that were there this urgent White House need for whatever is visualized as the "hard intelligence we need at the White House," in a democratic society and a republican form of government, what is gathered, how and by whom, is controlled and limited not by executive whim or lust, whether or not delegated to the rabid, but by law and the Constitution. The president has neither the right nor the need to know who sleeps with whom or who thinks what about any subject, although Hoover tickled LBJ by telling him.

What really was visualized was ending all opposition to Nixon and whatever he at any time wanted to do, including getting reelected. Where Huston is specific he refers to "violence" and "disorder," especially on the campuses and in the cities. Only the barnyard seems to have instilled ~~no~~ fear.

In this August 5 paper for Haldeman, Huston discloses some of the cleverness Hoover displayed, in so many direct quotations one wonders if he had himself wired for sound in his conferences with the high spooks:

"(c) I don't have the personnel to do the job the President wants done." True. It required a veritable army, as the Hitler Gestapo was.

"(d) I don't object to the N.S.A. conducting surreptitious entry if they want to." So much for Hoover the civil libertarian.

"(e) If we do these things the jackels [sic] of the press and the ACLU will find out; we can't avoid leaks." Huston's commentary/opinion qualifies as "famous last words:" "We can avoid leaks by using trained, trusted agents and restricting knowledge of sensitive operations on a strict need to know basis [as we do] every day."

"(f) If I have to do these things, the Attorney General will have to approve them in writing." Or, Hoover would not accept responsibility and Mitchell had to take it in advance.

These and other "specious" arguments made Huston "fighting mad, and what Hoover is doing here is putting himself above the President." He may look back with regret, as surely Nixon must, on "(b) The risks are too great; these folks are going to get the President into trouble." Huston had a bluntly expressed opinion: "bullshit."

He wound it up in a passion:

For eighteen months [or the to then entire Nixon administration] we have watched people in this government ignore the President's orders, take actions to embarrass him, promote themselves at his expense, and generally make his job more difficult ...

There is so much more, so much a measure of the minds and characters Nixon attracted to the White House and the government, those who did his bidding without question and with loyalty to him and his whims alone.

There is more than August 5, so let us skip to August 14, in which Huston exposes how the machinery of government was and had been converted from the outset of the Nixon administration into police-state uses. He demanded of Roger V. Barth an accounting of the performance of his "Special Service Group" in the Compliance Division of Internal Revenue. The White House demand then a year old was for "a progress report on" what it had done "in reviewing the operations of Ideological Organizations [sic]."

Thrower addressed the whippersnapper Huston as "The Honorable" in his September 19 reply. In his accounting of the misuse of the Internal Revenue Service for political purposes and Nixonian reprisal, the Internal Revenue Commissioner himself, Randolph W. Thrower, begged, "I would stress that knowledge of the existence of this Group should be carefully limited."

Thrower attached a long "Status Report on Special Service Group," which Huston delivered to Haldeman. Rather than doing nothing about those groups not liked in the White House, IRS in secret had established what it called its "Activist Organizations Group, later Special Service Group." It had subjected all the known activists and organizations to close extra and special tax scrutiny. "Liaison has been established with all investigative and law enforcement agencies and with Senate and House investigating committees." This "Special Group" also spied by subscribing to and reading the underground press in order, "on matters involving taxable income of having or seeking tax exempt status, and identity of individuals or exempt organizations providing financial support to activist groups [sic] ... to be able to determine that the donors do not receive tax benefits from the financial assistance ..." IRS interest "is directed to the notoriety of the individual or organization."

When Nixon's assistant, Patrick J. Buchanan, a combination attack artist, political strategist and specialist in writing the nastier speeches, testified before the Ervin committee on September 26, 1973,

he left no doubt that the Nixon-hated Ford Foundation was a major IRS and Nixon target. In Nixon's White House it and most major foundations enjoyed "notoriety."

"Some of the individuals involved" in the "Activist" special tax-investigation treatment "filed tax returns reflecting very nominal income or did not file at all," which indicates they had so little income they were not required to file. Taxes were a pretext for illegal investigations.

After a year, no case emerged. This special persecution of the complaining poor and their leaders is given the "objective" of "a greater degree of assurance of maximum compliance with the Internal Revenue laws by those involved in extremist activities and those providing financial support to these activities."

If no more than this, should one not wonder why it was necessary, in secret correspondence to the White House, to "stress that knowledge of the existence of this Group be carefully limited?"

Those with sharp memories will recall that socially prominent liberals like composer-conductor Leonard Bernstein had helped the Black Panthers raise money when the Panthers were providing free breakfasts for the ghetto school kids.

If the cost and effort put into persecution of these anti-Nixon organizations and individual activists all of whom were of poor or modest circumstances, had been devoted to catching the multimillionaire grafters from whom Nixon's campaign money had come, IRS might have done some real enforcing and might have helped the Treasury. Its work for the first 18 months was extensive, expensive and futile. The statistics Thrower cites prove it was continued after the futility was unquestionable. But the political misuse of the power and authority of government continued:

... efforts ... on approximately 1,025 organizations and 4,300 individuals. Data on 26 organizations and 43 individuals have

been referred to the field for enforcement action. While it is still too early to have completed many of the field investigations, criminal investigations are under way on 4 individuals and 1 organization. Delinquent returns have been obtained from 2 organizations ...

Hitler's Gestapo may not have used such moderate language, but could it have been more thorough or persistent? Here we have only two organizations out of more than a thousand that had, as their greatest sin, delay in filing a return. Of 4,300 individuals, only 43 had been referred to the field offices for further inquiry. After a year of hard looking, only five investigations were started. A record of one-tenth of one percent delinquency of any kind is good, not bad. If the average citizen were as honest, the savings in staff alone to the IRS would finance many worthwhile social programs. And these efforts were pursued with exceptional vigor and thoroughness, with the files of all the government's police and investigative agencies and those of the committees of both Houses combed for any and every kind of evidence or leverage. No bureaucratic gnat ever strained as hard; no mountain ever delivered so puny a mouse.

The innocence of those they suspected always infuriated Huston and his fellow deep-thinkers who were confident that what they wanted to be true had to be true, regardless of fact. His description of this report when he forwarded it to Haldeman in a memo titled "IRS and Ideological Organizations" was "long on words and short on substance." This is a complaint that the innocent had not been framed to justify his and White House paranoia and irrational political desires or that the persecution had not been severe enough. The diversion of all this IRS time and effort to "get" these more than 5,000 of the poorer people and organizations was in itself a major official interference in their Constitutional right to express whatever ideas they espoused. It also impeded the proper functioning of the IRS.

Huston, when he expected that nobody except Haldeman and perhaps Nixon would ever see his words, displays what can hardly be taken as an expression of true "conservative" belief and principle:

I have been pressing IRS since that time [i.e., "nearly 18 months ago"] to no avail. What we cannot do in a courtroom via criminal prosecution to curtail the activities of some of these groups IRS could ~~by~~ do by administrative action.

A more succinct statement of extra-legal, Gestapo intent and act is not likely. Huston also spelled this out in his concluding words, in context an unintended confession of failure, for after a year it did not really happen, "... valuable intelligence-type information could be turned up by IRS as a result of their full field audits."

IRS is supposed to keep its work and records secret under the law. Huston here postulates total violation of the law and the rights of more than 5,000 people and their organizations up to that period in Nixon's presidency. The deliberateness of this official misuse of the law and of executive power for antidemocratic, illegal and unconstitutional activities could not be more "perfectly clear."

Huston and White House interest was not in crooks, not in tax dodgers who, in shirking their share of the load, thrust it onto the shoulders of those least able to pay. It is in those who to Huston are "leftist," described by Buchanan in his September 26 testimony as no more radical than the Establishmentarian Ford Foundation and such scholarly institutions as Brookings. This sin Buchanan also spelled out: Their Scholarship was contradictory to Nixon doctrine and policy.

On August 25, 1970, Huston broadened this totalitarianism by calling to Haldeman's attention that the lifeless tribute to Nixon's legislative career, the ~~Subversive~~ Activities Control Board, "has nothing to do to justify" its annual appropriation. Instead of burying the corpse, whose function had been ruled illicit by the Supreme Court, Huston proposed first filling two vacancies and then an "Executive

Order expanding the powers" of the illegal body. Despite the official Nixon detestation of those in government who "leaked," he proposed appointment of that ultra of the right, Otto Otepka, who had been fired by the State Department because, as its security officer, he had leaked false and defamatory results of supposedly secret and highly classified "security" investigations to the Congressional ultras. With this background, more than enough to justify criminal prosecution, Huston successfully urged, "Otepka's reappointment strikes me as imperative." And, to try to find some Gestapo function for the cadaver staffed with political paranoids and ultras whose qualities Huston also sets forth, he proposed getting together with several of those farthest to the right in the Congress to see if they could not hoke up some kind of contrivance whereby this illegal board could be empowered to do more illegal, fascist work because "we cannot afford to let the board sit idle or content itself with investigating old line Communist fronts which are largely irrelevant to the current problem."

Nixon also did this Huston urging.

September 10 Huston was pressing for using the interagency Gestapo Nixon approved in July to stop airplane hijackings, an endeavor in which all the police and intelligence agencies already were making all the effort possible.

And September 18 he was hot after the Attorney General in another of his long expositions of fascist activism. It concluded with four recommendations for action, two of which required the Attorney General to do what no Attorney General had ever dared, lean on Hoover. Only a political imbecile would dream of taking on the aging tyrant and master manipulator. Here Huston discloses that Haldeman was with him: "N.B. Bob Haldeman has suggested to me that if you would like him to join you in a meeting with Hoover he will be happy to do so."

T There is much, much more that was suppressed. The suppression extended to the Senate investigation. The press not only failed to give full meaning to what it did report, it dropped the story and printed deceptive think-pieces in pretense of FBI and Hoover inactivity in the areas of White House complaint. In turn, this tended to justify the White House insistence upon the wrong and illegal, a spurious "need" to overcome the nonexistent deficiencies of Hoover and his FBI in Gestapo-like projects.

What did come out is the unintended by-product of two accidents: Huston's frustration when Nixon would not go for overt, clearly visible fascism; and Nixon's cannibalizing of John Dean, who wanted to survive, not be consumed for the preservation of Nixon, Haldeman, Ehrlichman and their cronies and co-religionists. Before Huston returned to Indianapolis he gave his files to Dean, the bureaucratically proper thing to do. And when Dean, who had been Huston's superior, had to defend himself, these deep secrets were double-0 buckshot.

Once John Dean opted against being cannibalized and defected with these plans and other sensitive files, the only question was how and when they would come out. Unnamed "highly placed sources in the executive branch" fed Carl Bernstein and Bob Woodward the first glimmers. Their May 5 story, headlined "Vast" Nixon "Undercover Operations," forecast in general terms what Ervin later received in evidence. By that date what would be adduced by that committee was no longer in doubt. Leaks of this sort are prized scoops to newspapers. They also serve to take the edge off the disclosures, diminishing the shock of the official revelation. What these "highly placed sources in the executive branch" leaked shows there was more to expose than the committee disclosed.

The painful fact is that the committee's suppressions were conscious, not in any case or in any sense accidental. Knowing the content

of some of what it withheld from me after it ^{was part} ~~was part~~ of the ostensibly "public" record (the part it "released" and then told my Senator it had not released), I can - and I do - charge this without equivocation.

This knowledge also makes it possible to address intent with certainty. The intent was to suppress.

Motive is something else. Reaching inside another's mind is never easy or certain. When it is a collective mind, that of seven Senators and a large staff from both parties, motive may also not be simple. Nor need it be a single one.

Whatever ^{ever} ~~the~~ the motive, the fact is incontrovertible and the result is ^{id} obvious. It endangers freedom.

A convenient and an excellent example is not what the committee suppressed entirely, including the approved plan itself, or the report by the interagency committee, which can be explained, if not truthfully, as other than suppression, but Huston's "Recommendations." Here the committee's method was simple, direct and time-testing, an exact duplication of that of the FBI and the Warren Commission when they white-washed truth and hid embarrassing fact.

The means by which it was done provides a classic example of the retention of the eaten cake. The public appearance was of derringdo investigators not deterred by dark of political night or the hail of Presidential wrath, of man fearing no storm. The inherent beauty of the whole caper is that an overwhelming percentage of the public and the press were permanently ^{by} ~~by~~ deceived by it. Most people know what they do about the Ervin investigation from TV. Most of the press knows from TV or attendance upon the hearings. It is only by comparing the public posture broadcast coast-to-coast with what almost nobody sees and the press, having observed the hearings either in person or by TV, felt no need to consult - the committee's own transcript of its hearings - that

truth becomes visible.

John Dean began his book-length prepared statement on Monday, June 25, 1973. Like Magruder's, which immediately preceded, it is not nearly as full and complete a confession as the press indicated and the committee so effusively thanked both for making. It was, however, a vocal virtuosity, for he read 245 legal-sized typed pages with interruption only for a few Senate roll calls and lunch. After this reading, he continued talking as he was asked questions. He was the only witness before the committee that entire week.

He avoided substantial mention of these documents in his volunteered statement. Weicker opened the hearing of Tuesday afternoon by getting right to them. When he did the transcript shows that Ervin asked him, "Do you wish to use these documents?" When Weicker replied that he did, one of Dean's counsel, his former brother-in-law, Robert C. McCandless, undertook an official role by interjecting this question, "Is that one of the national security documents?" This set the stage for Ervin to say, "Yes," followed by an interesting explanation.

"Yes" is not a truthful answer. "This" is a memo Dean wrote to Mitchell in September 1970. We examine it soon.

"I might state for the record," Ervin continued, "that yesterday Senator Baker and myself, by authority of the unanimous vote of the committee, sent the following letter to the White House."

The text of their letter to Nixon follows in the transcript, after which there is the response of that day, the 26th, not by Nixon and with the signatory omitted.

The committee's letter itemizes these documents in two numbered groups, of six and of two. This Dean memo to Mitchell of September 18, 1970, is the sixth. The reader will see that the committee's description, that it "bears the notation that it was returned to" Dean, lacks fidelity.